

01  
02  
03  
04  
05  
06  
07 UNITED STATES DISTRICT COURT  
08 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

09 UNITED STATES OF AMERICA, ) CASE NO.: CR03-069-RSL  
10 Plaintiff, )  
11 v. ) SUMMARY REPORT OF U.S.  
12 AARON LASTSTAR, ) MAGISTRATE JUDGE AS TO  
13 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
14

15 An evidentiary hearing on supervised release revocation in this case was scheduled before  
16 me on January 4, 2006. The United States was represented by AUSA Susan M. Roe and the  
17 defendant by Michael C. Nance. The proceedings were digitally recorded.

18 Defendant had been sentenced on or about June 20, 2003 by the Honorable Robert S.  
19 Lasnik on a charge of Accessory After the Fact and sentenced to 21 Months Custody, 3 years  
20 Supervised Release. (Dkt. 39).

21 The conditions of supervised release included requirements that defendant comply with all  
22 local, state, and federal laws and with the standard conditions of supervision. Other special  
23 conditions included no firearms, mandatory drug testing, narcotic addiction/drug dependency  
24 treatment and testing, refrain from alcohol and other intoxicants, submit to search, provide access  
25 to financial information, enroll and continue in a program of study for a GED, and cooperate in  
26 the collection of DNA.

01 The conditions of supervision were modified on August 25, 2004 to require residence in  
02 a community corrections center for up to 120 days. (Dkt. 47). On November 8, 2004, the  
03 defendant admitted to violating the conditions of supervised release by failing to participate in the  
04 community corrections center program for up to 120 days. (Dkt. 56). The condition was  
05 reimposed and the defendant was required to enroll in the GED program within 30 days and to  
06 continue in the program. (Dkt. 55). No further action was taken at the time. (Dkt. 56). On  
07 March 22, 2005 the defendant admitted to a violation of the conditions of supervised release by  
08 using and possessing marijuana. (Dkt. 65). A sentence of four months in custody was imposed.  
09 (Dkt. 68).

10 In an application dated June 23, 2005, U.S. Probation Officer Steven R. Gregoryk alleged  
11 the following violation of the conditions of supervised release:

12 1. Failing to follow the instructions of the probation officer on January 20, 2005 in  
13 violation of standard condition number 3.

14 2. Failing to participate in a community corrections center (CCC) program for a  
15 period of 90 days in violation of the special condition of supervision which requires the defendant  
16 to reside in a CCC for up to 90 days.

17 Defendant was advised in full as to those charges and as to his constitutional rights.

18 Defendant admitted each of the alleged violations and waived any evidentiary hearing as  
19 to whether they occurred.

20 I therefore recommend the Court find defendant violated his supervised release as alleged  
21 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be  
22 set before Judge Lasnik.

23 ///

24 ///

25 ///

26 ///

01 Pending a final determination by the Court, defendant has been detained.

02 DATED this 4th day of January, 2006.

03 

04 Mary Alice Theiler  
05 United States Magistrate Judge  
06

07 cc: District Judge: Honorable Robert S. Lasnik  
08 AUSA: Susan M. Roe  
09 Defendant's attorney: Michael C. Nancy  
10 Probation officer: Steven R. Gregoryk  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26